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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/473,554 | 12/29/1999 | KENNETH MCCLAMROCH | RSW9-99-119 | 1113 |

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EXAMINER

NGUYEN, CINDY

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2161

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/473,554

Applicant(s)

MCCLAMROCH ET AL.

Examiner

Cindy Nguyen

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-14, 16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11, 5-10, 12-14, 16 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 16 August 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

This is in response to amendment filed 04/15/05.

1. Response to Applicant's Arguments (filed 05/14/04)

Applicant's arguments have been considered, but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 5-10, 12-14, 16 and 17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Regarding claims 1 and 7, The claims contain subject matter "crawl process" which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Tirfing et al. (US 5117349) (Tirfing).

Regarding claim 1, Tirfing discloses: A computer-implemented method for indexing and locating assets stored on a storage device, comprising the steps of:

performing a crawl process on said storage device to identify stored assets (col. 5, lines 55 to col. 6, lines 2, Tirfing);

identifying the asset type of, and asset-specific parameters related to said stored assets, said asset specific parameters comprising languages in which each code asset is written (col. 9, lines 55-67 and col. 5, lines 1-18, Tirfing);

analyzing said stored assets based on said identified asset-specific parameters (col. 5, lines 55 to col. 6, lines 2, Tirfing);

extracting textual, semantic information from said stored assets, said semantic information including semantic information specific to the asset type of each stored asset; (col. 5, lines 19-49, Tirfing);

storing and indexing said extracted textual and semantic information for retrieval (col. 5, lines 1-45, Tirfing).

Regarding claim 5, all the limitations of this claim have been noted in the rejection of claim 1, respectively. In addition, Tirfing discloses: wherein said analysis step is performed using language-specific analyzers corresponding to the languages of said code assets (col. 5, lines 55-col. 6, lines 2, Tirfing).

Regarding claim 6, all the limitations of this claim have been noted in the rejection of claim 1, respectively. In addition, Tirfing discloses: wherein said language-specific analyzers analyze said stored assets based on predetermined parameters specific to the language to which they correspond (col. 8, lines 64 to col. 9, lines 8, Tirfing).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-10, 12-14, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tirfing et al. (US 5117349) (Tirfing) in view of Kasprzyk et al. (US 6016557) (Kasprzyk).

Regarding claim 7, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Tirfing discloses: wherein said stored assets comprise assets of diverse types (col. 4, lines 5-20, Tirfing), with at least one of said asset types

Art Unit: 2161

having a corresponding asset type specific analyzer and wherein said stored assets comprise code assets and wherein said asset specific parameters comprise languages in which each code asset is written (col. 4, lines 5-20, and col. 5, lines 1-45, Tirfing).

However, Tirfing didn't disclose: wherein said analyzing means comprises an analysis server, said analysis server including one or more asset type specific servers. On the other hand, Kasprzyk discloses: wherein said analyzing means comprises an analysis server, said analysis server including one or more asset type specific servers (col. 5, lines 10-30, Kasprzyk). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include wherein said analyzing means comprises an analysis server, said analysis server including one or more asset type specific servers in the system of Tirfing as taught by Kasprzyk. The motivation being to enable the system provided code monitor server have the capability to function as the code coverage analysis server to analyze to code assets stored and allows users to perform search to identified the desired assets.

Regarding claim 8, all the limitations of this claim have been noted in the rejection of claim 7. In addition, Tirfing/ Kasprzyk discloses: locating means for locating stored assets by applying a search query to said semantic information stored in said storing and indexing means (col. 5, lines 1-18, Tirfing).

Regarding claim 9, all the limitations of this claim have been noted in the rejection of claim 8. In addition, Tirfing/ Kasprzyk discloses: wherein said locating means includes means for applying a search query to said textual information stored in said storing and indexing means" (col. 5, lines 1-18, Tirfing).

Regarding claim 10, all the limitations of this claim have been noted in the rejection of claim 9. In addition, Tirfing/ Kasprzyk discloses: wherein said locating means includes means for applying a search query to both said semantic information and said textual information simultaneously (col. 5, lines 1-18, Tirfing).

Regarding claim 12, all the limitations of this claim have been noted in the rejection of claim 11. In addition, Tirfing/ Kasprzyk discloses: wherein a plurality of said asset types have a corresponding asset-type specific analyzer (col. 5, lines 55 to col. 6, lines 2, Tirfing).

Regarding claim 13, all the limitations of this claim have been noted in the rejection of claim 12. In addition, Tirfing/ Kasprzyk discloses: wherein each of said asset types has a corresponding asset-type specific analyzer (col. 5, lines 55 to col. 6, lines 2, Tirfing).

Regarding claim 14, all the limitations of this claim have been noted in the rejection of claim 11. In addition, Tirfing/ Kasprzyk discloses: wherein said asset-type specific analyzer extracts predefined semantic information specific to the asset type to which it corresponds (col. 6, lines 9-38, Tirfing).

Regarding claim 16, all the limitations of this claim have been noted in the rejection of claim 7, respectively. In addition, Tirfing/ Kasprzyk discloses: wherein said analysis step is performed using language-specific analyzers corresponding to the languages of said code assets (col. 5, lines 55-col. 6, lines 2, Tirfing).

Regarding claim 17, all the limitations of this claim have been noted in the rejection of claim 7, respectively. In addition, Tirfing/ Kasprzyk discloses: wherein said language-specific analyzers analyze said stored assets based on predetermined parameters specific to the language to which they correspond (col. 8, lines 64 to col. 9, lines 8, Tirfing).

2. Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McCasland, US 5856931, Method and system for identifying organizing, scheduling, executing, analyzing and documenting detailed inspection activities for specific items in either a time based or on demand fashion.

Kraay et al. U.S 5956717, Database Origami

Agrawal et al. US 6233575, Multilevel taxonomy based on features derived from training documents classification using fisher values as discrimination values.

Gershman et al. US. 6401085, Mobile communication and computing system and method.

Eder (U.S 6321205). Method of and system for modeling and analyzing business improvement programs.

3. Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Art Unit: 2161

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Cindy Nguyen
July 8, 2005


FRANTZ COBY
PRIMARY EXAMINER